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BOARD OF PATENT APPEALS
AND INTERFERENCES

Attorney Docket No. 2185-0452P Application Serial No. 09/604,763

V. SUMMARY OF THE INVENTION

The present invention is directed to a cosmetic or an external agent that provides excellent safety, stability, and feelings of use (<u>see</u> specification at page 2, lines 19-21). The invention comprises a dimerdiol ester of a monocarboxylic acid having 10 to 32 carbon atoms and/or a dimerdiol ester of a dicarboxylic acid (<u>see</u> specification at page 4, lines 22-24). The dimerdiol ester of the present invention is of a dicarboxylic acid and can be comprised as a dimer acid (<u>see</u> specification at page 6, lines 22 to page 7 line 8). The present invention can further be distinguished in that the amount of the dimerdiol ester can be 0.1-50% by weight in the cosmetic or external agent, and can further comprise an antioxidant, such as vitamin E (<u>see</u> specification at pages 9-10).

Another embodiment, which is similar to the present invention, is directed to a cosmetic or an external agent comprising specific types of dimerdial esters of a monocarboxylic acid having 4 to 34 carbon atoms and/or a dimerdial ester of a dicarboxylic acid produced by hydrogenating a dimer acid obtained by dimerization of an unsaturated fatty acid having 11 to 22 carbon atoms (see specification at page 3, lines 1-20). This embodiment further defines the dimerdial ester as a monocarboxylic acid having 10 to 32 carbon atoms, a branched fatty acid, a linear unsaturated fatty acid having 10 to 32 carbon atoms, or a rosin or a hydrogenated rosin (see specification at page 4, line 22 to page 5 line 28).

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Facsimile Cover Sheet

To:	Ms. Deborah P.	Vega	From:	John W. Bailey	AND INTE
Fax:	571-273-4681		Date:	JULY 11, 2007	
Phone:	571-272-4681		Pages	4 (<u>including</u> co	ver sheet)
Your	Applic Ser. No.	09/604,763	Our	2185-0452P	
Ref.:			Ref.:		
	replacing "Summary of the Invention" section of previously filed Appeal Brief (originally filed January 6, 2004).				
⊠ Urgent	For Review	☐ Please Co	emment [Please Reply	Please Recycle
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Dage Ma X	Jean				

Dear Ms. Vega,

Further to our telephone discussion on about June 27, 2007, I am faxing to you a letter having enclosed therewith is a revised "Summary of the Invention" section for the Appeal Brief previously submitted to the USPTO on January 6, 2004 in the matter of the instant appeal.

More particularly, the enclosed "Summary of the Invention" document is intended to replace the existing "Summary of the Invention" section at page 3 of the previously filed Appeal Brief of January 6, 2004.

If you have any questions or concerns regarding the instant facsimile, do not hesitate to contact our office.

John Bailey (Reg. No. 32, 881)

Birch, Stewart, Kolasch & Birch, LLP,

Phone 703-205-8031

PATENT 2185-0452P

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IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of:

Tsuvoshi KATAYAMA, et al.

Appeal No.:

Conf: 3604

Appl. No.:

09/604,763

Group:

1617

p: 161

Filed:

June 26, 2000

Examiner:

L.Q. Wells

For:

OIL MATERIALS COMPRISING DIMERDIOL ESTER AND

COSMETICS COMPRISING THE ESTER

LETTER SUBMITTING NEW SUMMARY OF THE INVENTION

July 11, 2007

Sir:

Based upon a telephone conversation with Ms. Deborah P. Vega, of the Board of Patent Appeals and Interferences Branch of the USPTO, enclosed herewith is a revised "SUMMARY OF THE INVENTION" section of the Appeal Brief previously submitted to the USPTO in the matter of the instant appeal on January 6, 2004.

Applicant requests that the enclosed document replace the existing "SUMMARY OF INVENTION" section at page 3 of the previously filed Appeal Brief of January 6, 2004.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Attorney Docket No. 2185-0452P Application Serial No. 09/604,763

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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